

Briefing for TCT
on DEQ's Approach to Recontamination Evaluation
& Upland Source Control Summary Report

Objectives:

1. To provide information to the TCT partners on the approach DEQ developed in discussions with EPA on integrating the evaluation of the potential for all contaminant transport pathways from upland sources to recontaminate the Portland Harbor Superfund site following implementation of in-water remedies.
2. To offer an opportunity for TCT partners to provide input on the process and proposed format.

Background:

Per the Portland Harbor Superfund Site Memorandum of Understanding (MOU) signed by DEQ, EPA, three natural resource trustee agencies and six tribal governments, and in accord with the EPA/DEQ 2005 Joint Source Control Strategy (JSCS), DEQ serves as the lead agency for upland source control. In this role, DEQ is responsible for identifying, evaluating and controlling upland sources of contamination to prevent recontamination of Portland Harbor sediments following remediation efforts. In particular, the stormwater pathway was identified as a potentially significant source of contamination to Harbor sediment.

To address recontamination via the stormwater pathway, DEQ chartered a workgroup in 2006 with representatives of DEQ Cleanup and Water Quality programs, the DEQ Lab and the City of Portland. This group developed a comprehensive strategy for identifying, controlling and managing on-going stormwater sources. DEQ developed guidance on stormwater source control in 2009, as an extension of the JSCS, which was implemented at upland sites in Portland Harbor and then refined and expanded in 2010. Approximately 170 upland sites have been evaluated or are in the process of being evaluated under this stormwater guidance, about 100 of which are under voluntary agreements or orders for source control evaluations through DEQ's Cleanup program. At sites where the groundwater or bank erosion pathways are complete, these are also being evaluated for recontamination potential through DEQ's upland source control work under the JSCS.

Per the requirements of the MOU & JSCS, DEQ has been providing updated tracking of each site undergoing upland source control evaluation and the status of the overall upland source control process through regular Milestone Report submittals. Looking ahead to completion of upland source control and in-water remedy design and implementation, DEQ has been conferring with EPA on the format for summarization the upland source control work done under the JSCS, within the framework of a harbor-wide evaluation of recontamination potential. The aim of conducting such an evaluation in Portland Harbor is to ensure that the river, and particularly river sediment, will not be recontaminated following implementation of the in-water sediment action remedies. The intent is to be comprehensive in evaluating all potential contaminant pathways and potential effects to all receptors in the river system stemming from the project area reach. Key information that EPA has requested in the report is an accounting of: 1) sources removed; 2) sources that still exist, but are controlled; and 3) sources that still exist, and are not controlled.

Status:

DEQ and EPA agreed on several points for the format and content of the Source Control Summary Report:

- DEQ will submit a Source Control Summary Report with a focus on evaluation of the potential for recontamination from all pathways for consideration by EPA in drafting the Proposed Plan.
- The report will delineate effective upland source control and any uncontrolled sources by geographic regions and provide detailed information on high priority and special focus sites.
- In alignment with the JSCS, 2005 EPA *Contaminated Sediment Remediation Guidance for Hazardous Waste Sites*, and 2002 EPA *OSWER Directive 9285.6-08 Principles for Managing Contaminated Sediment Risks at Hazardous Waste Sites (specifically w/PCBs)*, a “lines/weight of evidence” approach will be utilized for evaluation of the potential for recontamination.
- Lines of evidence will be drawn from work done at individual sites under the JSCS Source Control Evaluation framework and will be largely qualitative, enhanced by quantitative information when available, and include evaluation of any site-level loading analyses or recontamination evaluations completed by that time (mostly led by EPA at early action sites).
- Any sources with a significant recontamination potential and where total control is not attainable, may require EPA led source control measures as part of the response action.
- EPA and DEQ will coordinate on revisiting the recontamination evaluation to integrate additional, robust, quantitative information developed during on-going effectiveness monitoring, adaptive management, and remedial design and implementation of remedies at EPA-led early action sites and in the harbor as a whole.

Concurrently, DEQ is working on a proposal for a Portland Harbor-specific Industrial Stormwater Permit. The intent of this permit is to continue appropriate stormwater controls and confirmatory monitoring for sites that have demonstrated control of sources in stormwater in the project area, as well as to capture currently unpermitted dischargers under permit for more comprehensive and on-going stormwater control. This will assist in future source identification and control and long-term confirmation that sources remain controlled such that recontamination through the stormwater pathway is prevented.

The stormwater pathway recontamination evaluation in DEQ’s Source Control Summary will be greatly informed by the City of Portland’s stormwater outfalls source investigation and controls project programmatic report and basin summaries. In addition, DEQ is working with Oregon Department of Transportation on source control evaluation of three outfalls to Portland Harbor owned by ODOT and an additional 29 outfalls with stormwater contributions from highways and bridges throughout the project area. While the ODOT investigation is just getting underway, DEQ will integrate information gained during the process into the Source Control Summary Report, as appropriate.

Timeframe:

DEQ intends to complete the Source Control Summary Report for consideration by EPA in development of the Proposed Plan. Thus, iterative review discussions between DEQ and EPA are anticipated to be occurring by summer 2013 for submittal by summer/fall 2013.